

NINETEENTH DAY

(Tuesday, February 15, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Kelley Strauss

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Our Father, we pray now that Thou wilt touch our hearts and turn our faces toward Thee. In these turbulent and testing times let quietness and confidence be our strength. Create in us clean hearts, purify our motives, for out of the heart comes the issues of life, or of death. We pray in Christ's name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Strauss was granted leave of absence for today on account of important business on motion of Senator Moffett.

Senator Kelley was granted leave of absence for today on account of important business on motion of Senator Moffett.

Reports of Standing Committee

Senator Shireman submitted the following report:

Austin, Texas,
February 14, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 87, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 193, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 113, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 118, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 358, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 203, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 126, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 103, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

HARDEMAN, Chairman.

Senator Fuller submitted the following report:

Austin, Texas,
February 14, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 60, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Senator Phillips submitted the following report:

Austin, Texas,
February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred H. B. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PHILLIPS, Chairman.

Bill and Resolution Signed

The President Pro Tempore signed in the presence of the Senate after the captions had been read the following enrolled bill and resolution:

S. B. No. 117, A bill to be entitled "An Act authorizing certain home rule cities owning a portion of an international bridge over the Rio Grande to issue revenue bonds payable from net revenues of such bridge for the purpose of providing funds to construct capital improvements to such bridge; to pledge the net revenues and secure by trust indenture or supplement any existing trust indenture; authorizing parity revenue bonds for such purposes and the execution of a trust indenture or supplement further securing the bonds; validating any bonds authorized and proceedings passed or executed in connection therewith on or prior to effective date of this act; providing a severability clause; providing that no such bonds or proceedings shall be validated if litigation is pending questioning any such bonds or proceedings on the effective date of this act; and declaring an emergency."

H. C. R. No. 20, Commemorating the Boy Scouts of America on their forty-fifth anniversary.

Senate Resolution 64

Senator Moffett offered the following resolution:

Whereas, former Senator Ben G. Oneal, of Wichita County is in the Capitol Bldg., and

Whereas, former Senator Oneal served for eight years with great distinction in the Senate of Texas; now, therefore, be it

Resolved, That the said former Senator Oneal be welcomed to Austin and be extended the privilege of the floor for the day.

The resolution was read and was adopted.

Senator Moffett, by unanimous consent, presented former Senator Oneal to the Members of the Senate.

Senate Resolution 65

Senator Corbin offered the following resolution:

Whereas, We are honored today to have in the Senate, Mrs. Jimmie Rodgers, the first lady of country music, the beloved widow of the late, great Jimmie Rodgers, America's famous blues yodeler; and

Whereas, The late Jimmie Rodgers, who was born in Meridian, Mississippi, did adopt Texas as his native State early in life, making his home in Kerrville; and

Whereas, This famous Jimmie Rodgers became an internationally famous singer and entertainer, bringing great credit to the State of Texas and its people and becoming the leading recording artist of our country during his day, outselling even those of the great Caruso; and

Whereas, Jimmie Rodgers was the father of folk music in the Southwest; and

Whereas, The recordings and compositions of Jimmie Rodgers still live vividly in the hearts of people all over the world; and now, therefore, be it

Resolved, That Mrs. Jimmie Rodgers be officially welcomed by the Senate of Texas and extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Corbin, by unanimous consent, presented Mrs. Rodgers to the Members of the Senate.

Presentation of Guest

Senator Willis, by unanimous consent, presented Mr. Bill Brown of Fort Worth, Member of the State Democratic Committee, to the Members of the Senate.

Senate Resolution 66

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery 18 senior students of Rockdale High School accompanied by Mrs. Courtney; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Secrest, by unanimous consent, presented the students and their teacher to the Members of the Senate.

Senate Bills on First Reading

The following Senate Bills were introduced, read first time and referred to the committees indicated:

By Senators Ratliff and Hazlewood:

S. B. No. 204, A bill to be entitled "An Act amending Section 1 of Chapter 442, Acts of the 44th Legislature, Second Called Session, as amended, fixing the salaries of district attorneys; providing that this Act shall not repeal any other Act which permits or requires any county in this State to pay a district attorney added or supplemental salary; providing that this Act shall not be construed as repealing any Act which allows the district attorneys traveling expenses or any other allowances; providing for a repealing clause; and declaring an emergency."

To the Committee on Finance.

By Senator Ratliff:

S. B. No. 205, A bill to be entitled "An Act authorizing the State Highway Commission and the State Prison Board to enter into contracts for the construction and paving of roads in and around the Texas Prison System; providing that the requirements and procedures necessary for such contracts and payments therefor shall conform to the Interagency Cooperation Act; providing a repealing clause, but making this Act cumulative of all laws not directly in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Kazen:

S. B. No. 206, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 166, General Laws of the 42nd Legislature, Regular Session, 1931, as amended (codified as Article 6203d in Vernon's Texas Civil Statutes), so as to authorize the Texas Prison Board to grant right-of-way

easements for public highways, roads and streets, and stating terms upon which such easements may be granted; and declaring an emergency."

To the Committee on State Affairs.

By Senator Colson:

S. B. No. 207, A bill to be entitled "An Act to amend Subsection A of Section 5 of Chapter 352, Acts of the 50th Legislature, 1947, as amended by Chapter 361, Acts of the 53rd Legislature, Regular Session, 1953, regulating retirement compensation for state employees, and codified as Article 6228a in Vernon's Texas Civil Statutes, by adding a provision entitling employees of the State Prison System to their service retirement allowance who shall have completed twenty years or more creditable service; providing a severability clause; providing a repealing clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Latimer:

S. B. No. 208, A bill to be entitled "An Act authorizing the Texas Prison Board to construct buildings at Goree, Ramsey No. 1, Ramsey No. 2, and Central No. 2, and to make the necessary contracts; making an appropriation of funds available in a special State Treasury account to be expended for such construction; and declaring an emergency."

To the Committee on Finance.

By Senators Fly, Latimer, Ratliff, Rogers of Childress and Willis:

S. B. No. 209, A bill to be entitled "An Act amending House Bill 17, Acts of the 46th Legislature, Regular Session, 1939, as amended by Senate Bill 28, Acts of the 51st Legislature, Regular Session, 1949, Chapter 149; providing for the licensing and regulation of dealers in real estate; prohibiting the unlawful practice of law; defining terms; providing penalties for violation of this Act; providing a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Owen:

S. B. No. 210, A bill to be entitled "An Act authorizing district attorneys in judicial districts containing two (2) or more counties to employ a stenographer or clerk; prescribing the compensation of such stenographer or clerk; repealing all laws in

conflict herewith; and declaring an emergency."

To the Committee on State Affairs.

Message from the House

Hall of the House of Representatives.

Austin, Texas,

February 15, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 98, A bill to be entitled "An Act authorizing all school districts now or hereafter created wherein military training or instruction is conducted pursuant to any law of Texas or the United States which law requires that the district shall give a bond or otherwise indemnify the State or the United States or any authorized agency to insure the care, safekeeping and return of any property furnished by the State or the United States pursuant to such law, to execute such bond or furnish such indemnity as principal or surety and to expend school funds in connection therewith; and declaring an emergency."

H. B. No. 197, A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all School Districts; validating the acts of county boards of school trustees, County Judges, Commissioners Courts, boards of trustees of such School Districts, and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said Districts; authorizing the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain Districts involved now or previously involved in litigation, or to Districts involved in certain proceedings now pending before the State Board of Education, or to Districts which may have been established and which later returned to original status; providing a savings clause; and declaring an emergency."

H. B. No. 280, A bill to be entitled "An Act authorizing the appointment of an investigator by the District Attorney of the 118th Judicial District, to serve as investigator in that judicial district and as adult probation officer in Howard County; prescribing

his powers and duties and providing for his compensation and expenses; and declaring an emergency."

H. B. No. 145, A bill to be entitled "An Act amending the 'Sabine River Authority Act,' Chapter 110, House Bill No. 467, Acts of the Fifty-first Legislature, Regular Session, so as to change its name to Sabine River Authority of Texas; amending Section 7 of said 'Sabine River Authority Act' by establishing fees of office; amending Section 18 (a) of said 'Sabine River Authority Act' so as to authorize the District to issue revenue bonds for the purposes set out in the Act and providing that the aggregate principal amount of the bonds outstanding at any one time shall not exceed Fifty Million Dollars (\$50,000,000); repealing all laws in conflict herewith; containing a severability clause; and declaring an emergency."

H. B. No. 268, A bill to be entitled "An Act providing that no changes in boundaries of independent school districts having a scholastic population of 25,000 or more according to the last preceding school census shall be made unless previously approved by the Board of Trustees or Board of Education thereof; enacting other provisions relating thereto; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

(President in the Chair.)

Senate Resolution 68

Senator Latimer offered the following resolution:

Whereas, We are honored today to have in the gallery The American History Class, from the Providence High School of San Antonio, Texas, accompanied by their teachers, Sister Irma Jean and Sister Theela; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the

Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Latimer, by unanimous consent, presented the students and their teachers to the Members of the Senate.

Senate Resolution 69

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Miss Winnie Fielder, Mr. Max Blansit, teachers; and Senior pupils of Mineral Wells High School, Mineral Wells, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Wagonseller, by unanimous consent, presented the students and teachers to the Members of the Senate.

Appointment to State Planning Committee

The President laid before the Senate and directed the Reading Clerk to read the following:

Under authority granted by Senate Concurrent Resolution No. 48 of the 53rd Legislature, Regular Session, I hereby appoint Senator David W. Ratliff as a member of the State Planning Committee to fill the vacancy created by the death of Senator Harley Sadler.

Senate Bill 4 on Second Reading

Senator Hardeman moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 4 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Colson
Ashley	Corbin
Bracewell	Fly

Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kazen	Roberts
Lane	Rogers
Latimer	of Childress
Lock	Rogers of Travis
Martin	Secrest
McDonald	Shireman
Moffett	Wagonseller
Moore	Weinert
Owen	Willis

Absent—Excused

Kelley Strauss

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 4, A bill to be entitled "An Act to amend Senate Bill No. 350, Acts of the 36th Legislature, R. S., 1919, ch. 155, p. 285 (Article 6029, V.C.S.), as amended, by adding a new section thereto, to be known as Article 6029a authorizing the Railroad Commission of Texas to make and enforce rules, regulations, and orders in connection with the drilling of exploratory wells and wells for oil or gas and abandoned wells, to prevent pollution of the streams and water courses of this State, including subsurface waters, which results from the escape or release of crude petroleum oil or salt water and other mineralized waters from such wells; providing report of uncapped wells and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 4 on Third Reading

Senator Hardeman moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Latimer
Ashley	Lock
Bracewell	Martin
Colson	McDonald
Fly	Moffett
Fuller	Moore
Hardeman	Owen
Hazlewood	Parkhouse
Kazen	Phillips
Lane	Ratliff

Roberts	Shireman
Rogers	Wagonseller
of Childress	Weinert
Rogers of Travis	Willis
Secrest	

Nays—1

Corbin

Absent—Excused

Kelley Strauss

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Corbin asked to be recorded as voting "nay" on final passage of S. B. No. 4.

Senate Resolution 70

Senator Corbin offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate the Honorable Bob Huff of Lubbock, Member of the Lubbock County Bar Association, and an outstanding Member of the State Bar Association; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senate Bill 5 on Second Reading

Senator Hardeman moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 5 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Lane
Corbin	Latimer
Fly	Lock
Fuller	Martin

McDonald	Rogers
Moffett	of Childress
Moore	Rogers of Travis
Owen	Secrest
Parkhouse	Shireman
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

Absent—Excused

Kelley Strauss

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 5, A bill to be entitled "An Act requiring every water district, created pursuant to the Constitution of Texas, to file with the Texas Water Commission a certified copy of the Act or order creating same or altering its boundaries, as well as such information necessary to maintain an up-to-date list of its officers; requiring the Commission to file such information for public inspection; providing penalties for violation; repealing all conflicting laws; providing a savings clause; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. 5 by striking out the words "Texas Water Commission" wherever they appear and inserting "Board of Water Engineers or its successors."

The amendment was adopted.

On motion of Senator Hardeman, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 5 on Third Reading

Senator Hardeman moved that Sen-

ate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Nays—1

Corbin

Absent—Excused

Kelley Strauss

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 104 Re-referred

On motion of Senator Martin, and by unanimous consent, S. B. No. 104 was withdrawn from the Committee on Finance and re-referred to the Committee on Public Debts, Claims and Accidents.

Adjournment

On motion of Senator Aikin the Senate at 12:17 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow

In Memory of
W. E. Keeling

Senator Willis offered the following resolution:

(Senate Resolution 63)

Whereas, With deep sorrow the Senate learns of the death of W. E. Keeling on March 10, 1953, who was an honored leader and an outstanding citizen of Grapevine, Texas; and

Whereas, Mr. Keeling was a native of Dallas, Texas, born July 18, 1889. He came to Grapevine in 1897 with his illustrious father, J. E. Keeling, who became publisher of the Grapevine Sun; and

Whereas, Mr. Keeling at an early age began working in the back shop of the Sun and in 1912 at the age of twenty-three assumed active management; and

Whereas, Mr. Keeling was a highly successful editor, winning prizes with the Grapevine Sun in newspaper contests sponsored by the Texas Press Association for four consecutive years. He also won third prize at the State Fair of Texas in 1947 in the Souvenir Exhibit Documents contest with an August 13, 1898, issue of the Sun; and

Whereas, Mr. Keeling is survived by his wife, the former Grady Wood, whom he married in 1912; and one daughter, Mrs. Zena Oxford, both of Grapevine; now, therefore, be it

Resolved, That the Senate of Texas express its esteem for Mr. Keeling and its regret at his passing; and that copies of this resolution be sent to members of his immediate family; and, be it further

Resolved, That when the Senate adjourns today, it do so in respect to the memory of W. E. Keeling.

The resolution was read and was adopted by a rising vote of the Senate.